

A Full Account of the

## T R Y A L

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## G O D F R E Y C R O S S

F O R

## High - Treason,

In adhering to the King and Queen's Enemies, by giving Intelligence to the French Fleet; as also in endeavouring to Depose them of their Royal Crown and Dignity, by raising Rebellion and Discord amongst their Majesties Leige Subjects, &c. At the King's Bench Bar at Westminster, on Friday the 21<sup>st</sup> Day of November, annoque Dom. 1690.

**T**He Court being set, about ten a Clock the Marshal of the King's Bench Prison was commanded to bring his Prisoner to the Bar; which was done: And the Prisoner being commanded to hold up his Hand, the Jurors were called over; out of which number were sworn these Gentlemen whose Names are underwritten, viz.

John Buggins

Francis Farnaby

Edward King

John Culpepper

James Peiley

Bonnam Hays

Thomas Jeffery

Edmund Davenport

John Kennard

William Selby

Edward Manley, Esquires,

William Dry, Gent.

After which an Indictment of High-Treason was read against him: Which set forth, That he being a Person of very Evil Fame, did Traiterously, Falsly, Maliciously and Devilishly Adhere to, Aid, Abet, and Comfort the King and Queens Enemies that now is: And did (of his Malice, before thought) endeavour our Sovereign Lord and Lady the King and Queen to singl Death and Destruction to bring, and to raise War and Rebellion among the Subjects of our Sovereign Lord and Lady the King and Queen that now is, within this Kingdom of England and elsewhere, &c.

And to Accomplish and Bring those his Treasonable, False, Malicious and Devilish Practices and Purposes to pass, did, on the 6<sup>th</sup> Day of July, in the second Year of their Majesties Reign, in the County of Kent, convey himself on Board of several Ships belonging to the French Fleet, which were then riding not far off from the Town of Lidd in Kent: And there had held Correspondence with them, particularly with Sir William Jennings, then Commander in Chief of the French Admiral; from whom he brought Letters of Invitation to some Persons here in England, for come on Board him: And carried Intelligence to them of the state of Affairs here, against the

Duty of his Allegiance, and against the Form of the Statute in that Case made and provided, &c. To all which Charge he had before pleaded Not Guilty.

Then the King's Council proceeded to open the Matter of Fact, and the horrid Nature of it, to the Gentlemen of the Jury; giving them to understand, That he was Indicted for a Crime of a very high nature, (First) For adhering to the French King, who was an open and professed Enemy to this Nation; which did find him to be guilty of a manifest Intention to destroy it, and to bring the King and his Subjects under the Power and Dominion of the French King: Notwithstanding the great Charges and Trouble the present King of England hath been at to reduce it, and to detect all their Villanies, in that Vigorous and unwearied Attempt that he is still making against the Common Enemy. And that the French did not altogether trust to their own Power and Strength, but they expected Correspondent Helps from the King's Enemies: Amongst which perfidious sort of Men this Prisoner at the Bar appeared.

And furthermore the Prisoner at the Bar, on the 6<sup>th</sup> of July last, at the Town of Lidd aforesaid, about seven a Clock in the Morning, did appear on Horseback near the Water side, within View of the French Fleet; and a Sloop coming near the Shoar, he waved his Hat as a Token or Sign to them to come nearer; then they sent out their Long-boat, he riding his Mare up to the Belly in Water to the Boat-side, and went into the Boat, quitting his Mare, &c. at which the Prisoner seemed to laugh: But the King's Council told him, That it was no laughing Matter, or to that effect. The Council further declared the Aggravation of his Crime; How that he being one of the King's Natural and True born Subjects of this Kingdom, instead of taking up Arms for the King and Queen, as by the Duty of his Allegiance he ought to have done, he goes on Board the French Fleet and carries Intelligence to them of the state of Affairs here in England; and brings back Letters and Notes of

Invitations

Invitations and Intelligence to others, to joyn with him in his Traiterous, Devilish Designs, and Wicked Encompassings and Imaginations; which did particularly tend to the Deposing of the King and Queen; and that the People of *England* should be no longer a People. So that surely the thing it self, viz. His going on Board the French Fleet, was Evidence enough, beyond all Papers, or any thing else that could be brought against him; but to clear all Doubts, there were several Good Evidence produced to prove the Matter of Fact more fully upon him, the first of which was one *Stephen Stacy*, who declared upon Oath.

That he saw him ride into the Water up to the Mare's Belly, and go into the Boat, to some French Men, who were coming towards the Shoar, having before waded his Hat, and halloed towards them; and that he turned his Mare loose and a Grey-hound that followed him; which were afterwards found upon the Shoar. This Witness swore positively that he saw him do all this, and that he was the same Man that went into the Boat; and that it made up to the nearest Ship.

There was a second Evidence called, who declared, after being sworn, That he was upon the Watch, on the 6th of July last, over against the Body of the French Fleet, where they saw a small Man of War put out a Long-Boat, making towards the Shoar; whilst they were gone to give Intelligence of it, the Boat had taken in the Prisoner, and his Grey-hound lay upon the Sea-Shoar, and the Mare was loose, which he and three more Men took up and carried to Lidd: And that he knew the Mare to be *Cross's* Mare, and the Dog to be his also: And that the Mare had lately been in the Water, for that she was wet; and was ready bridled and saddled: And when they came to *Cross's* House, he was not at home, his Servant telling them, That his Master rode out upon the Mare that Morning, &c.

Another Witness, being sworn, deposed to the same effect, confirming the Truth of what the former had declared, as to the Boat coming ashore, and the Mare and Dog being found loose, after the Prisoner was gone on Board the French Ships: And that he saw the Boat come exactly from the Fleet: As also that the Mare and Dog were *Cross's* own Goods: And that he rid out upon the Mare that Morning: And that the Boat came within a Musquet Shot of the Shoar, and went directly to the French Fleet.

There were others that swore to the same effect as the former, so shall give no further account of them, but proceed to another, which indeed was one of the most material to bring the Matter home upon the Prisoner: Who being sworn for the King, deposed,

That he was informed by some who were on the Top of the Steeple, That they saw the Boat coming from the Fleet ashore, and a Man landed about twelve a Clock at Noon, on the said 6th of July; and afterwards arming himself, he raised the Town, and coming to the Sea-side he found it to be *Godfrey Cross*, the Prisoner at the Bar; whom he took at some Rods Distance from the Shoar, and said to him; Neighbour Cross is not this a shameful thing of you, to go a Board of an Enemy? Did you go to give Intelligence how our Town stood effected? Or did you go to carry Letters? Upon which the Prisoner gave him very abusive Language, and said, You one eyed Dog, what have you to do? &c. After which he was seized and carried to Lidd, and examined by the Bayliff, nor denying the Matter charged against him: Nor that he had not been

on Board the Fleet; but complained that he had lost his Mare. Which was confirmed also by another Witness, that help'd to apprehend him; and that he had given a Crown to the Boatmen that set him ashore; and that he had been a Board three or four Vessels of the French Fleet.

There were two other Evidence, who gave account of his Examination, and that he did own to have been on Board the French Fleet: And that he had brought two Letters from on Board the French Admiral, written by Sir *William Jennings*, which were found about him: The first was directed to one Mr. *Bryant Bowler of Deal*, the other to one Mr. *Thomas Tedman of Dover*; dated on Board the French Admiral, and signed by Sir *William Jennings*: The Contents of the Letters were both to the same purport, viz. To invite any of their Majesties Subjects to come on Board the Fleet; and if they did, they should have liberty to go back, for they came not to hurt any Person, but to protect all Loyal Subjects, and to punish Rebellious ones: For that the Fleet was as much the King of *England's* as ever it was the French King's, &c.

The Prisoner being ask'd, What he had to say in his Defence against so home a Charge, answered, That he had but little to say; but that he had always been a true Protestant, and a Church of *England* Man, (as he himself termed it) and never did nor intended any harm to any one: And that he had done no damage, so was willing to submit to the Judgment of the Court. Although when he was apprehended he pretended that he rode into the Water to look after some Boards that were floating there; and the Men in the Boat asked him to drink a Drachm, which he did: And after two of the Men forced him off his Horse into the Boat; but was looked upon as a feigned Excuse.

But in the Conclusion a further Proof was brought against him, which was omitted through inadvertency, viz. That when he was on Board the French Admiral, Sir *William Jennings* asked him, In what Posture the Nation was? to which he, the Prisoner replied, That for the Town, they had affrighted most of the People out of it; and the rest were making provision for themselves: Or Words to the like effect, &c.

The King's Council, after this, made several Reflection upon the hainousness of the Crime, and that his going on Board to the King's Enemies Fleet, and giving them Intelligence, was a manifest Token of his adhering to them, so consequently must be found High Treason, although the Court seemed to be of the contrary Opinion at the first, and that it was but a Misdemeanour: But after the Council had pleaded it further, the Lord Chief Justice summ'd up the Evidence, in a particular and distinct Manner, to the Gentlemen of the Jury, telling them, That if they did believe that he went voluntarily on Board, and did bring those Letters from Sir *William Jennings*; and that they were to persuade Men to forsake their Allegiance; and to endeavour to restore the late King; and to assist all those that were for the late King: Then they must find him Guilty. But if he did this ignorantly, and not to seduce the King's Subjects from their Allegiance, then they must find him Not Guilty, &c.

After which the Jury withdrew for the space of about a quarter of an Hour, and returning they brought him Guilty of High Treason.

Licensed, November 22d 1690.